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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
Allentown Division

EDWARD T. KENNEDY,

Plaintiff,

-v-

Case No. 5: 18-CV-00257-JFL
Hearing requested

COMMISSIONER DEPARTMENT OF
THE TREASURY INTERNAL REVENUE
SERVICE, et. al.

Defendants.

FILED
MAY 18 2018
KATE BARKMAN, Clerk
By CM Dep. Clerk

**PLAINTIFF'S MOTION TO ORDER DEFENDANTS TO CEASE
AND DESIST COLLECTING FAKE DEBT, NET OUT
ACCOUNTS TO ZERO TAX OWED NUNC PRO TUNC, AND
RETURN ALL FUNDS STOLEN BY THE DEFENDANTS TO
THE PLAINTIFF**

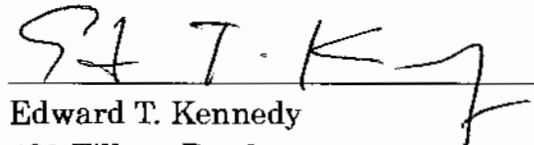
1. Plaintiff moves for an order granting **PLAINTIFF'S MOTION TO
ORDER DEFENDANTS TO CEASE AND DESIST COLLECTING FAKE
DEBT, NET OUT ACCOUNTS TO ZERO TAX OWED NUNC PRO TUNC,
AND RETURN ALL FUNDS STOLEN BY THE DEFENDANTS TO THE
PLAINTIFF** against Defendants Commissioner Department of the Treasury
Internal Revenue Service, now known to be David J. Kautter, and John Doe, now
known to be R.D. Simmons.

2 This Motion PLAINTIFF'S MOTION TO ORDER DEFENDANTS TO CEASE AND DESIST COLLECTING FAKE DEBT, NET OUT ACCOUNTS TO ZERO TAX OWED NUNC PRO TUNC, AND RETURN ALL FUNDS STOLEN BY THE DEFENDANTS TO THE PLAINTIFF is proper in this case because there is no genuine issue of material fact because Plaintiff is entitled to granting his motion as a matter of law.

WHEREFORE, Plaintiff requests the court grant PLAINTIFF'S MOTION TO ORDER DEFENDANTS TO CEASE AND DESIST COLLECTING FAKE DEBT, NET OUT ACCOUNTS TO ZERO TAX OWED NUNC PRO TUNC, AND RETURN ALL FUNDS STOLEN BY THE DEFENDANTS TO THE PLAINTIFF.

Date: May 16, 2018.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. T. Kennedy", is written over a horizontal line.

Edward T. Kennedy

401 Tillage Road

Breinigsville, Pennsylvania 18031

Email: pillar.of.peace.2012@gmail.com

Email: kennedy2018@alumni.nd.edu

Telephone: 415-275-1244.

Fax: 570-609-1810.

CERTIFICATE OF SERVICE

I hereby certify that on May 16, 2018 that I filed a copy of the foregoing
PLAINTIFF'S MOTION TO ORDER DEFENDANTS TO CEASE AND
DESIST COLLECTING FAKE DEBT, NET OUT ACCOUNTS TO ZERO TAX
OWED NUNC PRO TUNC, AND RETURN ALL FUNDS STOLEN BY THE
DEFENDANTS TO THE PLAINTIFF by USPS regular mail at the office of the
Clerk of Court at United States District Court for the Eastern District of
Pennsylvania Allentown Division location, and served by fax number 202-514-6866
to the following Tax Attorney:

Catriona M. Coppler
Tax Attorney, Tax Division
US Department of Justice
Post Office Box 227
Washington DC 20044 ¹

FILED
MAY 18 2018
KATE BARKMAN, Clerk
By [Signature] Dep. Clerk

[Signature]
Edward T. Kennedy
Plaintiff, on his own behalf.

¹ Attorney's address differs from her address advertised with the DC Bar Association. Attorney fails to disclose her DC Bar number.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
Allentown Division

EDWARD T. KENNEDY,

Plaintiff,

-v-

Case No. 5: 18-cv-00257-JFL
Hearing requested.

COMMISSIONER DEPARTMENT OF
THE TREASURY INTERNAL REVENUE
SERVICE, et. al.,

Defendants.

FILED
MAY 18 2018
KATE BARKMAN, Clerk
By KLS Dep. Clerk

PLAINTIFF'S MEMORANDUM IN SUPPORT OF PLAINTIFF'S MOTION TO
ORDER DEFENDANTS TO CEASE AND DESIST COLLECTING FAKE DEBT, NET
OUT ACCOUNTS TO ZERO TAX OWED NUNC PRO TUNC, AND RETURN ALL
FUNDS STOLEN BY THE DEFENDANTS TO THE PLAINTIFF

Plaintiff asks the court to GRANT PLAINTIFF'S MOTION TO ORDER DEFENDANTS
TO CEASE AND DESIST COLLECTING FAKE DEBT, NET OUT ACCOUNTS TO ZERO
TAX OWED NUNC PRO TUNC, AND RETURN ALL FUNDS STOLEN BY THE
DEFENDANTS TO THE PLAINTIFF as authorized by The Fair Debt Collection Practices Act
(FDCPA), Pub. L. 95-109; 91 Stat. 874, codified as 15 U.S.C. § 1692 –1692p.

A. Introduction

1. Plaintiff is Edward T. Kennedy; defendants are Commissioner Department of the
Treasnry Internal Revenue Service, now known to be David J. Kautter and John Doe, now
known to the plaintiff as R.B. Simmons.

2. Plaintiff sued defendants for the tort of intentional infliction of emotional distress, and injuries and damages for harm to his ability to earn a living as a priest and as a tax accountant.

3. Defendants collection of fake debt is a direct cause of Plaintiff's emotional stress.

4. Plaintiff files this Memorandum et seq., in support of his Motion with and on his claim for the tort of intentional infliction of emotional distress and injuries, damages for harm to his ability to earn a living as a priest and as a tax accountant, and for all his tax refunds from the defendants since 1971.

5. This Motion should be granted in this case because the evidence establishes all elements of plaintiff's claim as a matter of law, and Defendants refused to verify any debt the plaintiff allegedly owes to the defendant's employer, and Defendant Simmons lied and stole funds from the Plaintiffs accounts.

B. Statement of Facts

6. The Fair Debt Collection Practices Act (FDCPA), Pub. L. 95-109; 91 Stat. 874, codified as 15 U.S.C. § 1692 –1692p. The statute's stated purposes are: to eliminate abusive practices in the collection of consumer debts, to promote fair debt collection, and to provide consumers with an avenue for disputing and obtaining validation of debt information in order to ensure the information accuracy. The Act creates guidelines under which debt collectors may conduct business, defines rights of consumers involved with debt collectors, and prescribes penalties and remedies for violations of the Act approved on September 20, 1977 (and as

subsequently amended).

7. FDCPA is a consumer protection amendment, establishing legal protection from abusive debt collection practices, to the Consumer Credit Protection Act, as Title VIII of that Act.

8. Both defendants work for the Internal Revenue Service, a collection agency that is not licensed to be a debt collector in the Commonwealth of Pennsylvania according to the Pennsylvania Secretary of State's website. Both defendants are required to follow 15 U.S.C. § 1692(a), (1978), the Fair Debt Collection Practices Act (FDCPA), U.S.C. § 1692 et seq.

9. Defendants misrepresented the debt and used deception to collect the debt. collector's Defendants seek unjustified amounts, and there is no applicable contract or as provided under applicable law.

10. Plaintiff wrote and signed a letter that he sent certified USPS No. 7016 1370 0002 1987 4594, return receipt requested on January 31, 2018, to defendant Simmons, and Simmons received this letter on February 4, 2018 at 6:21 am according to the USPS postmaster and the signature of defendant's authorized representative. (green card)

11. Plaintiff demanded that defendant Simmons prove Plaintiff owed an (alleged) debt within 21 days of receipt of Plaintiff's certified letter.¹

12. Forty one days later, defendant Simmons replied to the Plaintiff in writing in a

¹ Plaintiff Is a victim of Identity Theft, and sent the IRS Commissioner Form 14039 in September 2017 and October 2017. Defendant Simmons has had more than nine months to comply with FDCPA.

signed letter, but did not provide the Plaintiff with any proof of any debt owed by the Plaintiff.

13. In defendant Simmon's letter of March 13, 2018, Simmons says no levy on Plaintiff's accounts. Defendant failed to prove any debt LAWFULLY.

14. Simmons took an oath to tell the truth. Simmons lied. Plaintiff's accounts were levied by him.

15. Defendants continue to steal funds from the Plaintiff's account at the US Treasury, with no foundation of law and no evidence of any debt owed to the employer of the defendants or the US Treasury.

C. Argument

16. This MOTION TO ORDER DEFENDANTS TO CEASE AND DESIST COLLECTING FAKE DEBT, NET OUT ACCOUNTS TO ZERO TAX OWED NUNC PRO TUNC, AND RETURN ALL FUNDS STOLEN BY THE DEFENDANTS TO THE PLAINTIFF is proper in a case where there is no genuine issue of material fact.

17. Because there are no genuine issues of material fact on any element of intentional infliction of emotional distress, plaintiff requests granting of his Motion as a matter of law.

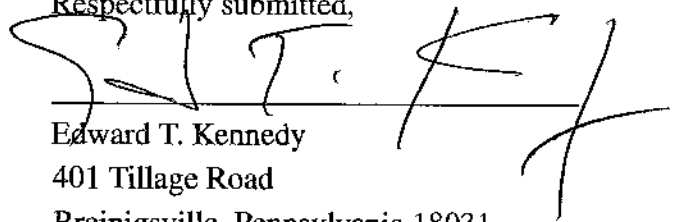
D. Evidence

18. In support of his motion and notice to this court of a state of emergency, plaintiff notices the court of Section 16 of the Federal Reserve Act of 1913 was codified into Title 12, Section 411, and is hereby incorporated by reference into the motion.²

² Plaintiff's right to lawful money is found at Title 12 Section 411 [United States Code] and Section 16 of the Federal Reserve Act.

Date: May 16, 2018

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'E.T. Kennedy', is written over a horizontal line.

Edward T. Kennedy

401 Tillage Road

Breinigsville, Pennsylvania 18031

Email: pillar.of.peace.2012@gmail.com

Email: kennedy2018@alumni.nd.edu

Telephone: 415-275-1244.

Fax: 570-609-1810.

CERTIFICATE OF SERVICE

I hereby certify that on May 16, 2018, I filed the foregoing PLAINTIFF'S MEMORANDUM IN SUPPORT OF PLAINTIFF'S MOTION TO ORDER DEFENDANTS TO CEASE AND DESIST COLLECTING FAKE DEBT, NET OUT ACCOUNTS TO ZERO TAX OWED NUNC PRO TUNC, AND RETURN ALL FUNDS STOLEN BY THE DEFENDANTS TO THE PLAINTIFF and MOTION TO ORDER DEFENDANTS TO CEASE AND DESIST COLLECTING FAKE DEBT, NET OUT ACCOUNTS TO ZERO TAX OWED NUNC PRO TUNC, AND RETURN ALL FUNDS STOLEN BY THE DEFENDANTS TO THE PLAINTIFF by USPS regular mail to the Clerk of Court at Allentown Division and served by fax number to 202-514-6866 on the following Tax Attorney:

Catriona M. Coppler
Tax Attorney, Tax Division
US Department of Justice
Post Office Box 227
Washington DC 20044

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MAY 18 2018
KATE BARKMAN, Clerk
Dep. Clerk
By [Signature]
Edward T. Kennedy
Plaintiff, on his own behalf. [Signature]